

Docket No: 08-0415
Bench Date: 11/13/08
Deadline: N/A

MEMORANDUM

TO: The Commission
FROM: D. Ethan Kimbrel, Administrative Law Judge
DATE: October 31, 2008
SUBJECT: Kinder Morgan Cochin, LLC

Verified Application for issuance of a Certificate in Good Standing pursuant to Section 15-401 of the Public Utilities Act to operate as a common carrier by pipeline in the State of Illinois.

RECOMMENDATION: Enter the Order granting the Certificate pursuant to Section 15-401 of the Public Utilities Act, 220 ILCS 5/15-401.

Kinder Morgan Cochin, LLC. ("Applicant" or "KMC"), a Delaware limited liability company, is requesting issuance of a Certificate in Good Standing pursuant to §15-401 of the Act authorizing KMC to operate as a common carrier by pipeline in Illinois, and to operate the Cochin Pipeline as a common carrier by pipeline for the transportation of propane, ethane, butane and natural gas liquids. KMC is an indirectly owned subsidiary of Kinder Morgan Energy Partners, L.P. ("KMP"), which is one of the largest operators in North America of pipeline and terminals transporting and handling crude oil, petroleum products, natural gas, natural gas liquids and carbon dioxide. On March 20, 2007, KMP acquired all the interests held by subsidiaries of BP p.l.c. in Cochin Pipe Lines Ltd. and Dome Pipeline Corporation ("Dome"). The assets acquired by KMP included the Cochin Pipeline. The Cochin Pipeline consists of approximately 1,900 miles of 12-inch pipeline from Fort Saskatchewan, Alberta, through Saskatchewan, North Dakota, Minnesota, Iowa, Illinois, Indiana, Ohio and Michigan, terminating in southern Ontario. The Cochin Pipeline was formerly operated by Cochin Pipe Lines Ltd. in Canada and by Dome in the U.S.

KMC is seeking essentially the same scope of certificate authority as the Commission previously granted to the prior owner of the Cochin Pipeline, Dome, in Docket 57052. KMC demonstrated that it has the necessary technical, financial, and managerial resources to provide the requested common carrier pipeline services in Illinois. Staff for the Illinois Commerce Commission has testified that KMC has complied with and satisfied all requisite mandates for such service and concluded there is no reason to dispute issuance of the requested Certificate in Good Standing to KMC.

There are no intervenors in this docket contending that any of the requirements of §15-401 for issuance of the requested Certificate in Good Standing have not been shown to be met.

KMC has also properly requested that the certificate of public convenience and necessity issued to Dome in Docket 57052 be cancelled and withdrawn. In light of issuance of the Certificate in Good Standing to KMC, the certificate of public convenience and necessity issued to Dome in Docket 57052 for the Cochin Pipeline should be cancelled and withdrawn.

Accordingly, we recommend that the Commission enter the attached Order granting KMC the requested authority.

DEK:fs